MALAYSIA MALAY RELIGIOUS DILEMMA IN A MULTIFAITH ATMOSPHERE

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Abstract: This paper attempts to offer a new understanding of some fundamental aspects nature of Malay and Islam identity, using Malaysia as a case study. I first sketch the history of the region and it heir to Hindu and Buddhist traditions and also to three European colonial systems of government and administration (Portuguese, Dutch and British). Second, I point out how state-led mediates essential of the peninsula "Malay" as territorial and indigenous (bumiputra) appears to have led to the inclusion and exclusion of the pre and post-colonial migrant at various moments in the process of negotiating Malay identity, making of the Malay-Muslim ethnicity. Finally, I argue and maintain that the process of "othering" in multicultural Malaysia seems triggered by "ontological insecurity "and "de-traditionalisation", as pointed out by Anthony Giddens (1990), and the hegemonic construction of Malay identity dilemma. To understand the conflict of religions in Malaysia, one has to understand the link between religion and the state, and the pluralistic nature of Malaysian society and one must begin with data from the area rather than with some Middle Eastern and theological formulations of Islam.

Keywords: Apostasy, Conflict, Inter-faith relations. Islam, Malay, Malaysia, Religious pluralism.

INTRODUCTION

For better or worse, religion is a major concern in Malaysia and this makes it a major national concern in the Malaysian politics. Moreover, as Islam is the state religion of the Malay community, Islam is consequently, in the hearts of many of the country's major political conflicts. What worries the nation the most today is that many Malaysians, particularly the right-wing Malays, are no longer practicing moderation very well. Many have began to move to the fringe right on the issue of race and appear to be quite close to openly advocating apartheid. A similar move to the far right seems to be underway with regards to religious issues and this will create even more troubles.

In the period of 54 years since Malaysia's independence, Islam has become increasingly prominent in the public domain of Malaysia, which is a multi-ethnic and multi-religious federation. The relationship between religions, ethnics and national identities in Malaysia has long been fraught with uncomfortable tensions. I shall critically examine the Malaysian success story, especially as a Muslim-majority country, by presenting a survey of the making of the Malaysian Islam. This presentation combines both narrative and analysis with the aim of presenting to those who already have some knowledge about Malaysia with a better understanding of its present situation. For those who

are 'experts, this essay serves as an invitation for a critical discourse on Islam in Malaysia.

Emerson (1957), Furnival (1948) and Chopra (1974) contended that the Malaysian plural society is divided in almost every respect. As a plural society, nation building or national integration (Ibrahim, 1985) is considered of the utmost importance in Malaysia. Since the 1980s, however, the religion identity appears to have been replaced by ethnicity as the central element of the nation's identity as the society has been systematically, even aggressively, Islamised. Yet appearances can be deceiving, and there is a strong case to be made that Islamisation in Malaysia is basically a variation of the original Malay ethnonationalism, using the nearly complete symbiosis between the Malay and Muslim identity as the point of articulation that allows the religious nationalism to serve as a cipher for ethnonationalism,/but a version of ethnonationalism that is much less accommodating of minorities than the traditional Malay nationalism.

For now, managing religious sensitivities has the verisimilitude of heightened consciousness and identity policing.

"The level of religious sensitivity is different as it was before. If it was, we would have no problem. However, some people consider certain matters as too sensitive" (ex-Prime Minister Datuk Seri Abdullah Badawi).

Therefore, the main aim of this essay is to outline briefly the history of the Malay and the emergence of Islam in Malaysia, a history, I thought essential for an understanding of the current renewal of Islam within the Malay ethnic, in particular, Malaysia. Therefore, I will analyze the special character and position of the Malaysian Islam, beginning from the arrival of Islam to the Malay Archipelago in the 15th century, the Malacca Sultanate period, its status during the British colonial period and its subsequent developments after independence in 1957.

The conclusion of this article is less of a conclusion but more of an observation that suggests that the current scenario can be improved. Living harmoniously under one roof can be achieved if all parties are willing to be more open, considerate and practice toleration.

RELIGIOUS PLURALISM IN MALAYSIA

With its ethnic, cultural and religious diversities, Malaysia is a typical South-East Asia country. Fifty-one percent of the population of Malaysia consists of Malays, all of whom are Muslim.[1] Chinese made up 26 percent of the population and Indians comprised 7 percent of the population. Various ethnic groups, such as different indigenous groups, who are mostly residing in the Borneo region, and Eurasians and migrant workers, most of whom are Indonesians, make up the remaining 16 percent of the population (Peletz 2005, p.243).

Despite the Muslim majority, Malaysia is not an Islamic state.[2] Instead, Malaysia is considered to be a "Malay dominated plural society" and the freedom of practicing other religions is granted to all (Shamsul 1997, p.29). The Constitution provides freedom of religion; however, the Government has placed some restrictions on this right.

The Government provides financial support to an Islamic religious establishment composed of a variety of governmental, quasi-governmental, and other institutions, and it indirectly provides more limited funds to the non-Muslim communities. State governments impose Islamic religion laws on Muslims in some cultural and social matters but generally do not interfere with the religious practices of the non-Muslim communities.

This conception of Malay hegemonic rule is a result of the political bargaining between the major ethnic political groups of Malaysia, UMNO (United Malays National Organization), MCA (Malaysian Chinese Association) and MIC (Malaysian Indian Congress) during the formation of post-colonial Malaysia (at that time known as Malaya) in 1957. As a result of the bargaining, non-Malay ethnic groups such as the Chinese and Indians were granted citizenship and their "legitimate interests (economic rights), their rights of citizenship and residence as well as their freedom to preserve, practice and propagate their religion, culture and language" were recognized (Ibrahim, p.128).

In return, Malays will retained their sultans, their special position, their language (as the official language), and their religion (Islam as the official religion)" (Ibrahim, p.128). In addition, special rights

[1] All ethnic Malays are Muslims. This is a unique position in comparison with other Muslim-dominated regions. For example, not all Arabs are Muslims. The converging of ethnicity and religion in Malaysia's case can be a thorny issue as we shall see later.

[2] The question of whether Malaysia is an Islamic state remains highly contentious and ambiguous. The former prime minister of Malaysia, Mahathir Mohamad stated explicitly that Malaysia is an Islamic state on September 29, 2001. This was seen as a political move to detract supporters from the rising Islamic resurgence in Malaysia. Mahathir's statement provoked an outrage from the Chinese and Indian communities who claimed that Malaysia is not an Islamic state under the Federal Constitution.

were granted to protect the Malay ethnic rights. This is enshrined in the controversial and often quoted Article 153 in the constitution of Malaysia. According to this article, those who "profess the religion of Islam, habitually speak the Malay language, and conform to the Malay customs" are entitled for special reservation of quotas in three specific areas: public services, education, and business licenses, without harming the rights of other ethnic groups. Thus, it is important to emphasize that Malaysia is founded "not on individual rights but on what political theorists have come to refer to as 'ethnically differentiated citizenship'" (Hefner 2001, p.29).

The state of religious pluralism in Malaysia firmly hinges upon understanding the importance of Article 153 of the constitution. The Article was conceived as part of an "ethnic bargaining" that was achieved through the spirit of mutual tolerance and respect. A deeper understanding of Malaysia's pre and post-colonial history is necessary to understand the state of the religious and racial pluralism in Malaysia.

PRE-COLONIAL PLURALISM AND COLONIAL PLURALISM IN MALAYSIA

The land of Malaysia has been made the center of trade and commerce since the tenth century AD when ancient Malay kingdoms were discovered in the northern peninsular region of Malaysia. In the first century, traders from the south of India started to sail to the islands in South-East Asia. They continued for hundreds of years. They came to Malaya, Indo-China, Sumatra, Java and Borneo, established themselves and took the Indian culture and arts with them. Some of the rulers in these lands gradually abandoned animism and embraced Hinduism. Their states became Hindu states and Hindu empires were established in these lands. Soon, the Buddhist philosophy and teachings also arrived and were spread widely in these regions. Most of these kingdoms were under the Buddhism or Hinduism influence. During that time, the region was highly coveted due to its geographical position which is situated in between the Chinese and Indian civilizations.

As in the case with Hinduism and Buddhism, the Islam's original home is not the Malay world. Islam was brought to the region, mainly by people of foreign origins, many of whom were merchants and Sufis. When it arrived in the Malay world, Islam encountered an enormously.

rich and vibrant Malay civilization that had experienced a history of at least a thousand years and whose cornerstone was formed by indigenous animistic beliefs. Thus, anthropologically speaking, it is unthinkable that Islam could have transformed this civilization overnight. In fact, it took Islam a few centuries to find a comfortable home in the Malay world (Hooker, 1983; Harper, 1999).

Islam was believed to have arrived in Malaysia around the 14th century through Arab traders from the Middle-East. However, it was not until the establishment of the Sultanate of Malacca in the 15th century that Islam became the dominant religion in the Southeast Asian region. During this era, Malacca became the main trading port of Asia where European merchants travelled to obtain the valuable commodity of spices that were readily available in Asia but not in Europe.

Soon, some of the rulers and their subjects in the region of South Thailand, Malaya and Sumatra embraced Islam. Foreigners who came here during that time easily adapt to the local cultures. The Europeans and Chinese traders who settled here adapted the new environment. Many blended into the society but retained their original religious beliefs. There is no history of Islam being imposed upon the people.

The first ruler of Malacca, Parameswara, converted to Islam after his marriage to the Princess Malik Ul Salih of Pasai. It was during this period that Islam spread to the territories of the sultanate, including the majority of modern-day Peninsular Malaysia, Sumatra in Indonesia and northern Thailand. At this time laymen and traders alike embraced Islam because of the advantages which came with identifying oneself with the ruler's religion.

Despite being the predominant religion in the Kingdom of Malacca, Islam was not imposed upon the people and foreign traders, allowing people with different religions to co-exist together. This was one of the first recorded instances of the ethnic and religious pluralism in Malaysia.

Foreigners easily integrated themselves into the local Malay culture. Many foreign traders such as the Europeans and the Chinese familiarized themselves with the Malay customs and learned to speak the Malay language. Cross-cultural marriages between traders and the people of Malacca were common during this period.

The marriage of the sixth ruler of Malacca, Sultan Mansur Syah, to a Chinese princess, Hang Li Po, further encouraged cross-cultural marriages. The legacy of these marriages can be seen today in the *Peranakan* culture where they are a group of ethnic Chinese, who practices a syneretic blend of the Malay and Chinese culture by speaking the Malay language while maintaining the Buddhist tradition.

The rule of the Sultanate of Malacca lasted for a century until it was conquered by the Portuguese in

1511. The fall of Malacca in the hands of the Portuguese represents the beginning of foreign colonization of Malaysia. Malacca prospered for another century until the invasion by the Dutch. This is followed by the intervention of the British during the late eighteenth century which subsequently led to the colonization of Malacca and ultimately, the whole of peninsular and Borneo Malaysia. This period of colonization lasted for almost two centuries until independence was granted to Malaysia in 1957.

The arrival of the British transformed the history of Malaysia forever. It has been argued that the British colonial rule altered the shape of the ethnic and religious pluralism in Malaysia. The Malaysian social anthropologist, Zawawi Ibrahim, contends that "it was the subsequent elaborations by colonialism upon this pre-colonial pluralism, which gave rise to the ethnicism and competing ethnicities currently inherited by the modern Malaysian nation-state" (Ibrahim, p.116).

The British had the acumen to symbolically acknowledge the sultans' sovereignty over each state, whose rule encompassed matters relating to the Malay tradition such as the customs (*adat*), the language (*bahasa*), and Islam. The sultans were also provided with "bureaucratic and legal machinery to implement their direction in a more systematic and invasive manner than ever before in the Malay history" (Hefner 2001, p.16). In spite of these moves, the colonialists were primarily responsible for the running of the colonized Malay states because of "the British's move of giving symbolic powers to the Sultan and divorced the traditional ruling class from the economic affairs of the modern colonial system by dismantling their 'feudal' rights of surplus appropriation over the subject class" (Ibrahim, p.120).

During the late nineteenth century and early twentieth century, Malaysia became the largest tin producer in the world and the Chinese were needed to share their expertise in this field. The British invited the Indians due to the need for labor in the plantation sector, especially in the rubber industry which was a boon for the British. The coming of the Chinese and Indian ethnic groups inevitably altered the ethos-pluralistic setting of Malaysia. Due to the influx, the Chinese outnumbered the Malays in peninsular Malaysia by the early 1920s.

A decade later, the Chinese population in the four federated states (Perak, Selangor, Negeri Sembilan and Pahang) that were subject to the direct rule of the British comprised 64 percent of the population. In other states that were not directly under the British rule, the Chinese comprised only 27 percent of the total population (Hefner 2001, p.18). This imbalance ethnic composition presented an obvious problem to the socio-economic stability of the country which was further compounded by the 'divide and rule' policy of the British.

Though short in labor to uncover the vast riches of Malaysia's natural resources through mining and plantations, the British was unwilling to teach these skills to the Malays because "the political costs of such a strategy would have been high" (Hefner 2001, p.18). The teaching of these skills would indicate that the Malays will learn to master trade and may revolt against their colonial masters.

Under colonialism, different ethnic groups were not allowed to mingle with each other; instead, they existed mainly within their own ethnic spheres. The Malays were primarily in the rural areas engaging in agriculture while most of the educated Malays were hired as government servants. The Chinese dominated the trade industry while the Indians remained in the plantation sector.

This period of colonialism in Malaysia fits the mould of J. S. Furnivall's theory of pluralism. Furnivall was largely responsible for coining and introducing the term "pluralism" to the European world. He derived his theory from his experience of colonial economies in Burma and Indonesia. Hefner summarizes Furnivall's definition of pluralism:

"A plural society is a society that comprises 'two or more elements of social orders which live side by side, yet without mingling, in one political unit.' As with the Chinese, Indians, and Malays in British Malaya, this combination of geographical propinquity and social segregation, Furnivall argued, is accompanied by a caste-like division of labor, in which the ethno religious groups play different economic roles. This social segregation in turn gives rise to what Furnivall regarded as these societies' most unsettling political trait: their lack of a common social will" (Hefner 2001, p.4).

This policy of "divide and rule" further destabilized the ethnic stability of the country because ethnic groups like the Chinese were perceived as being wealthier than others. Due to the widespread business influence of the Chinese who ranged from the production of tin and rubber to the transportation sector, the Chinese community was seen as monopolizing the economy and as a result, the migrant community, especially the Chinese was perceived as a threat to the Malays. Hefner explains, "In as much as the Chinese and Indians figured in this formulation (of ethnic pluralism), they did so largely negatively, as foreigners who threatened to marginalize the Malays in their homeland" (Hefner 2001, p.24).

This misperception against the Chinese community built a silent wall of tension between the different

ethnic groups of Malaysia. Unbeknownst to the Malays and Indians, most of the riches were in the hands of the British. The fact was that a "large majority of the Chinese was lowly paid wage earners employed in tin mines, rubber plantations and unskilled urban sector jobs. A minority was self-employed small proprietors, and few were affluent capitalists" (Heng 1998, p.54).

The "divide and rule" policy also meant that religion is not a contentious issue between the different ethnic groups. The lack of interaction between these groups meant that they can practice their religion freely without fearing any reprisal from other groups. There was also a distinct separation between religion and the British-governed state during this period of colonial pluralism.

As the symbolic rulers of the Malay states and the protectors of the Islamic faith, the sultans played their role by ensuring that the Malay culture, and their religion of Islam were not denigrated in the midst of this influx of other religions. However, no socio-economic protective measures were introduced to help the Malays to compete with the thriving Chinese dominated merchant community that had already established a network of capital and credit through their connections with different Chinese associations and chambers of commerce, which were already established as early as 1906 (Heng 1998, p.55).

The colonialists' policy of indifference towards the socio-economic development of these ethnic groups, especially with the Malays, highlighted their role in creating a society that not only "lacked a common social will" but more seriously, one that was separated into different economic positions based upon the ethos-religious background. In fact, in the British ideology of educating the Malays, the Malay schools' curricula should be designed to ensure that the "Malay peasants did not get ideas above their station." This led to teaching schoolchildren basket-weaving and gardening in order to educate them in the "dignity of manual labor" (Roff 1967, 140).

In spite of this, the colonialists must not be blamed entirely for this "ethnicization" of the economy. The Malay rulers must also take a share of the blame for not being able to protect the economic rights of the Malays. These socio-economic failures of both the colonialists and the Malay rulers would pose a serious problem to Malaysia when it was granted independence from the British in 1957.

After the 2nd World War, the British could no longer maintain their imperialist control over their colonies. Malaysia was finally becoming a sovereign nation state. When the British tried to establish the Malayan Union, one of the main contentions was the rights to citizenship of the ethnic Chinese and Indians, and the other was the sovereignty of the Malay sultans. Whilst the non-Malays and several 'radical' Malays were supportive of the Malayan Union, several of the 'nationalists campaigned against it. They finally got all the Sultans in unison to oppose its establishment.

Today, Malaysia is considered a sovereign nation. It is a multi-ethnic, multi-religious and multi-cultural country. The Malay ethnic group makes up about half of the total population. Malaysia has decided to maintain two parallel justice systems; one is the secular justice system based upon laws gazette by the parliament, and the other is the Syariah Court whose rules are set by the various sultans of the state. The Syariah Court has jurisdiction over the Muslims only. Clearly the non-Muslims do not have any legal standing in the Syariah Courts as they are limited in their jurisdiction by Article 121 of the Federal Constitution.

PLURALISM AFTER MALAYSIA'S INDEPENDENCE

Malaysia was granted independence during the de-colonization period in the middle of the twentieth century. After nearly two centuries of colonial rule, Malaysia finally became a sovereign nation state. The first general election in the country in 1955 was won by the Alliance (*Parti Perikatan*) that was led by Malaysia's father of Independence, Tunku Abdul Rahman. The Alliance consisted of the United Malays National Organization (UMNO), the main political party of the Malays, the Malaysian Chinese Association (MCA), the party for the Chinese, and the Malaysian Indian Congress (MIC), which represents the Indian community.

One of the major controversial issues in this young nation-state was the question of citizenship among different ethnic groups. While the Malays were acknowledged as the rightful owners of the land along with the indigenous people, the rights to citizenship of the Chinese and Indians were questioned.[3] When the British tried to establish the Malayan Union in 1949, which intends to give equal citizenship to all Malaysians regardless of their ethnicity, the proposal triggered widespread protests from the Malays. The sultans were united in their protest and refused to co-operate in this effort. Due to the fierce protests, the plan had to be abandoned by the British. This example highlights the sensitivity of the issue of non-Malay citizenship for the Malays.

A concession was finally achieved between UMNO, MCA and MIC regarding the issue of citizenship and special rights for the Malays. As explained in the introduction to this paper, this concession was

[3] The Malays and the indigenous people of Malaysia are called "*bumiputera*" or translated literally as the "princes of the soil" or "sons of the soil".

enshrined in the Malaysian constitution under Article 153, which entitles citizenship to non-Malays and in return, grants the Malay's special rights in the field of education, in public services and in commerce. The Non-Malay communities obtained the Malaysian citizenship, but it is not an equal citizenship. In Robert Hefner's words, this form of citizenship was a "differentiated citizenship" (Hefner 2001, p.29).

This concession must be analyzed carefully due to the sensitivity of the issue. UMNO was unwilling to grant equal citizenship to the non-Malay communities because they feared that the Chinese and Indians might overtake them socio-economically and inevitably result in the loss of their own sovereign rights. However, UMNO, which held the majority of the Malay votes, needed the support from the Chinese and Indians to appear as a politically united front in order to rule the country.

Additionally, UMNO needed the economic support and knowledge from the wealthy Chinese community in the early years of the new nation to help the rural Malays to break the barriers of poverty. On the other hand, the Chinese and Indian communities had no choice but to concede to the request of the Malays in terms of the "differentiated citizenship" because it was politically impossible for the Malay rulers to grant equal citizenship to them after the strong reaction against the idea of the Malayan Union. [4]

The independence of Malaysia did not improve the economic situation of the poor. According to Ibrahim Z., "The average income of the bottom 10 percent of all households decreased by 31 percent, from $49 to $33 per month, between 1957-1970…income equality worsened for the total population as well as within each community, with the Malays taking the lead" (Ibrahim, p.130). This highlighted the problem of massive economic inequality between the rich and the poor during the early years of the nation.

Ethnicity played a vital role in this inequality; while a significant part of the Chinese and British communities continued to prosper, the Malays and Indians remained entrenched in their poverty. Unemployment rates were also high in the cities and this primarily affected the Chinese and the growing number of Malay migrants. The failure of the ruling party to create a viable Malay capitalist class was perceived as the source of unemployment among the growing number of Malays in the cities (Ibrahim, p.131).

The economic inequality triggered the eruption of the worst ethnic violence ever seen in the country on May 13, 1969. What started out as a victory celebration in Kuala Lumpur for the Chinese opposition party, DAP (Democratic Action Party) which won a significant number of seats during the general election of that year, ended up provoking the Malay community in the city. This event highlighted the crisis which plagued the young nation-state as she struggled to discover her identity and seek the "common social will" in the midst of the multi-cultural setting of Malaysia.

The May 13 riots changed the socio-economic setting of Malaysia and Malaysians altogether. The second prime minister Tun Abdul Razak, introduced the New Economic Policy (NEP), an affirmative action based policy as a measure to eradicate poverty among the Malays. Michael Peletz, an anthropologist who is an expert in the Southeast Asian issues contends that the NEP was a measure to "restructure society by undermining the material and symbolic connections between ethnic categories, on the one hand, and economic standing and function on the other" (Peletz 2005, p.245). This policy of restructuring the society which involved the ethnic and racial politics was considered as special allocations granted to the Malays.

The NEP was successful in producing a new generation of the middle-class Malays while eradicating poverty at the same time. The level of education among the Malays also improved tremendously. It was reported that between the early 1970s and 1993, the middle-class Malays burgeoned from 18 percent to 28 percent of the population. Additionally, the Malay agricultural population decreased significantly from 65.2 percent to 33.5 percent (Hefner 2001, p.30).

Despite the apparent success of the NEP, many Malays remained unhappy about this policy because of the widely held perception that the policy helped only some Malays and not all, resulting in the creation of two distinct classes of Malays; those who have benefited from the NEP and those who have not. Thus, some Malays became rich and affluent while the rest of them remained entrenched in poverty. The dissatisfaction with the NEP also originated from the widespread corruption and cronyism that were taking place during the implementation of this policy.

Many scholars have argued quite rightly that the Malays' discontent towards the NEP fueled the Islamic resurgence movement in Malaysia during the 1970s. This resurgence is a continuation of the early Islamic revivalism in Malaysia which occurred during the 1920s and 1930s as a tool to promote Islamic nationalism and reformation. It is not by chance that this resurgence coincided with the Islamic revivalist movements in countries like Indonesia, Egypt, Libya and Pakistan. One of the

[4] J. N. Parmer, 'Constitutional Change in Malaya's Plural Society', 26:10 *Far Eastern Survey* (October, 1957) p. 146.

groups which spearheaded this resurgence was ABIM (Angkatan Belia Islam Malaysia or Malaysian Islamic Youth Movement) led by the young Anwar Ibrahim, who would later become Malaysia's Finance Minister and Deputy Minister. Another group which yielded immense influence was (PAS) Parti Islam Se-Malaysia (Malaysian Islamic Party), an Islamic political party that fought for the establishment of Malaysia as an Islamic state.

Scholars have viewed the Islamic resurgence (*dakwah)* movement in Malaysia as "a powerful vehicle for the articulation of moral opposition to the government development policies, traditional as well as the emergence of class structures, other ethnic groups, or some combination of these or related phenomena" (Peletz 2005, p.246). This movement seeks to "revitalize or reactualize (local) Islam and the (local) Muslim community by encouraging stronger commitment to the teachings of the Qur'an and the *hadith*, in order to practice a more Islamic way of life (*din*)" (Peletz 2005, p.246).

This Islamic resurgence exacerbated the growing hostility between the Malays and non-Malays ever since the implementation of the NEP. The Non-Malays felt that not only their socio-economic positions were under threat but their rights to practice their religion were challenged as well. (Hefner 2001, p.51).

Under the Prime Minister, Dr. Mahathir Mohamad, the government took measures to control the Islamic resurgence. One of the measures was using the government to espouse its own Islamization programs to counter the resurgence. These programs championed the notion of moderate Islam in light of the multi-cultural setting of Malaysia. Additionally, the government also institutionalized Islam by "establishing an Islamic banking system, streamlining the administration of Islam, and setting up the Islamic International University" (Embong 2001, p.64).

Politically, parties such as ABIM were co-opted into UMNO resulting in the loss of a powerful ally to PAS. All these efforts, compounded with the stunning economic development of Malaysia under Mahathir during the late 20th century resulted in the slow but steady establishment of "a common social will" for Malaysians of all races and religions.

THE STATE OF RELIGIOUS PLURALISM IN MALAYSIA TODAY

The astounding economic development of Malaysia during the late 20th century and early 21st century under Mahathir has propelled Malaysia to become one of the richest Southeast Asian countries. The Asian economic crisis in 1997 led to a crippling blow to the economy and consequently, to the people's well-being. However, what was remarkable during this crisis was the absence of ethnic violence that was experienced in the neighboring country, Indonesia. This highlights the outstanding growth of the Malaysian society in terms of their understanding and respect for each other's ethnic and religious background.

While this growth can be attributed primarily to the economic success of the country, other notable factors must be taken into account to explain the molding of Malaysia into a cohesive and pluralistic society. The establishment of a strong middle-class, not just among the Malays but also among the non-Malays has created an educated and sophisticated society that can relate to and communicate with those who are not from their ethnic groups.

This has enabled the creation of a new generation of Malaysians, who experience multi-culturalism daily. Education policies that were reformed after the May 13 riots created a more literate society because schools were no longer a privilege for the rich but a social necessity.

As a result, students from all ethnic backgrounds were given the chance to mingle with each other. The opening of the doors of Chinese and Indian schools allowed the non-Chinese and non-Indian parents to enroll their children to these schools to learn an extra language or to take advantage of the better educational opportunities offered in these schools. These factors have led to the creation of a new Malaysian society that is developing a "common social will" despite its ethnic barriers.

Although a series of interesting debates took place with regard to the government's definition of Islamic values, the federal government continued its Islamization efforts by initiating the setting up of various kinds of Islamic institutions (Shamsul, 1997). For example, the first Malaysian Islamic Bank began its operation in July 1983. In the same year, the International Islamic University (IIU) was set up to implement the concept of integrating knowledge with morals. As part of the intensification of the Islamization of the economic sphere, the federal government restructured the poorly organized Yayasan Pembangunan Ekonomi Islam (Malaysian Islamic Development Foundation). The ongoing process of Islamization in the administration has also been monitored by the Islamic Consultative Council, one of the powerful committees formed by the Prime Minister to propose policies on the Islamization programs.

Overall, the Malaysian government's Islamization program not only brought Islam into the mainstream of the national economy and helped to increase religious consciousness among the Malay-Muslim middle-class, but also raised Malaysia's profile

among Islamic countries as an economically successful and politically stable multicultural Islamic nation that should be emulated by others in the Islamic world (Shamsul, 1997:216–222).

The retirement of Mahathir in 2003 after ruling the country for 22 years signified the end of an important era of the Malaysian politics. The torch was passed to Abdullah Badawi, who was Mahathir's chosen successor. Mahathir's retirement came during a time when the multi-religious setting of Malaysia was under threat from the growing global Islamic fundamentalist movement. The event of September 11, 2001 was significant because Malaysia was indirectly linked to fundamentalist movements like Al-Qaeda.

There were reports claiming that Malaysia became a "staging area" or "launching pad" where Al-Qaeda members met to plan on their next attacks (Peletz 2005, p.241). These reports were backed by evidence to support their claims. In November 2000, Yazid Sufaat was photographed hosting Nawak Alhazmi, Khalid al-Midhar and Zacarias Mousasaoui in his condominium in Malaysia. All three of them were directly connected to the September 11 events (Peletz 2005, p.241).

The Southeast Asian based Islamic terrorist group, Jemaayah Islamiyah (JI) that was directly responsible for the three massive bombings in Indonesia: Bali in 2002, the Marriott Hotel Bombing in 2003 and the 2004 Australian Embassy Bombing, included Malaysians, who were directly involved with the group's activities. Azahari Husein, a doctorate holder from the University of Reading in England was "the Demolition Man" while Nordin Mohamad Top was the bomb maker of the group.

As a result of this rise in the Islamic fundamentalism in Malaysia, Badawi has introduced Islamization programs to counter the resurgence not just in Malaysia but also in other Islamic countries. One of his most remarkable moves is the introduction of the concept of *Islam Hadhari* (Civilised Islam) which is a ten-point set of canonical principles that calls for both physical and spiritual development by emphasizing on the economic, social and political progress.

Badawi explains that "*Islam Hadhari* is not a new religion or a new religious order but merely re-emphasizes on the centrality of Islam in the daily lives of its believers" (*The Star*, July 25, 2006). He asserts that *Islam Hadhari* "can help bring Muslims into the modern world and integrate them in the modern economy."

The term 'integrate' is important because *Islam Hadhari* suggests the Islamic world to *integrate* and not *assimilate* into the modern economy. This careful integration into the global economy allows for the retaining of their cultural identities. Additionally, the concept also "promotes tolerance and understanding, moderation and peace, certainly an enlightenment" (Badawi 2005). More importantly, Badawi believes that *Islam Hadhari* can help in preventing the rise of Islamic fundamentalism.

Badawi has implemented these reforms in Malaysia with impressive results. The economy is currently recovering consistently from the Asian economic crisis, and corruption is at an all-time lowest level. The International Islamic University of Malaysia (IIUM) is fast becoming one of the major Islamic institutions in the world that is comparable with the esteemed Al-Azhar University of Egypt and attracts many students from the Islamic countries. IIUM offers programs not only in Islamic studies but in science as well, ranging from engineering to medicine.

The strong undercurrent of Islamization programs such as *Islam Hadhari* in Malaysia has created a subtle tension between the Malays and non-Malays. The Non-Malay communities are fearful that these programs might impinge on their own rights. Badawi has been quick to assuage the situation by claiming that *Islam Hadhari* is a concept that is only meant for the Muslims and will not directly impinge on the non-Malays' right to practice their own religions. This underlines the thin line that is constantly negotiated by Badawi and his government in light of the drive to promote them as a moderate Islamic government without forsaking the religious rights of other ethnic groups.

Despite proclaiming themselves as a moderate Islamic government, several religious controversies have challenged this notion. The issue of Malaysians' freedom of religion is questioned, especially when it comes to Islam. The controversial case of the late M. Moorthy tested the waters of religious tolerance in Malaysia.

Moorthy, originally a Hindu, was alleged to have converted to Islam by the *syariah* court before his untimely death. Hence, he was buried in the traditional Islamic way. However, his wife, M. Kaliammal claimed that she had evidence proving that Moorthy was a Hindu before his death and sought to take the case to the Malaysian court system to have him buried according to the traditional Hindu rites. Unfortunately, her case was rejected as it was deemed as not being under the powers of the civil court but the *syariah* court of Malaysia. Kaliammal has launched another appeal, and her case is awaiting hearing in September 2006.

The infamous controversy surrounding the case of Lina Joy provides another example concerning the freedom of religion of the individual. Joy, her real

name being Azlina Jalani, was once a Muslim but converted to Christianity. She wanted to drop the term 'Islam' from her identification card as her religion, but she was not permitted to do so by the National Registry Department (NRD).

Joy brought her case to the court to appeal and similarly to the Moorthy's case, the civil court dismissed her case based on the same argument that this matter was under the auspices of the *syariah* court. This controversy underlines the issue of one's religious freedom in Malaysia, especially when it comes to the Malays. Adherents from other faiths can convert to other religions but not the Muslims, who can be deemed apostates and punished under the *syariah* court.

Apart from the questions concerning the individual's freedom of religion in Malaysia, there is also a growing concern among the Muslims, especially among clerics, that the increased pluralistic setting of Malaysia can erode the Muslims' faith. During the recent 2006 Ulama Convention in the Perak state, the *mufti* from Perak, Harussani Zakaria warned against pluralism and liberalism in his keynote speech. He said, "Muslims, whether policymakers or ordinary people, should know that liberalism and pluralism were alien to the fundamentals of Islam" and warned against "the threats to Islam posed by these elements" (Mustafa 2006).

As a result of this stance against pluralism and liberalism, activities which encourage multi-cultural unity were seen as a threat to Islam because they might erode the Muslims' faith. Events such as "shared celebrations" (*kongsi raya*) which stands for open houses organized by the government to celebrate different ethnic groups' celebrations (such as Chinese New Year, Eid al-Adha and Deepavali) which fall around the same time were discouraged by the clerics.

The clerics' statements were unpopular with the government and also with the people who strongly objected the clerics' anti-pluralist stance. This incident reflected the underlying tension between the government and the Islamic religious leaders where one tries to be more moderate while the other is becoming more conservative in light of Malaysia's current economic growth in the era of globalization.

The question of religious pluralism was recently challenged during the planned demolition of unregistered Hindu temples in Kuala Lumpur in order to make space for development. Local state councils that were responsible for these projects claimed that these temples, mostly built before Malaysia's independence in 1957, are illegal because they are not registered.

Additionally, most of these temples were also built on the government land. These demolitions came with alleged police brutality against the protesting Indians. Inevitably, these actions infuriated not only the Malaysian Indians, but also Indians around the world. Most Indians blamed the actions on the government's lack of intervention and insensitivity to the temple demolition exercise. A Malaysian opposition source noted, "The government is breaking down (Hindu) temples because they can afford to do it to the Indians…we have never heard of a mosque being broken down for development" (Bukhari 2006).

Both the government's and the local councils' insensitivity to this issue might prove to be the trigger to an already tense situation in Malaysia. The notion of respect for other religions is negated in the face of impending development but at what cost for the country and its inter-ethnic relations?

The state of religious pluralism in Malaysia is one that is intrinsically connected to the question of ethnicity. The question of respect for each other's religion subsequently engenders a respect for one's ethnicity as well. Additionally, the socio-economic and socio-political factors also play a crucial role in creating a harmonious and peaceful multi-cultural Malaysia.

These are all factors which constantly need to be monitored in order to ensure that the rights of all Malaysians are secured. In order for this to happen, there is a need to be influential intellectuals and organizations, which play the key role of addressing these issues concerning religious pluralism. This is significant because these individuals and organizations seek to inform and educate the public about the necessity of maintaining respect for each other's religions, thus avoiding any eruption of the ethnic violence that has been experienced in Malaysia's history.

APOSTASY

Several groups and individuals expressed concerns that 'obsessing' over the exact numbers of apostasy cases runs the risk of missing the larger problems, as well as questions that should be addressed by the Muslim community and its religious authorities. It is believed that the Malay community is more worried about the Christian proselytizing rather than others.

A pastor who spoke anonymously to the Asia Times said that he believed there was an average of 100 Muslims per month converting to Christianity throughout Malaysia. One Christian group estimated that there were approximately 30,000 Malay converts in total. Official figures revealed are much lower, but many Malays convert secretly in order to avoid harassment and public humiliation.

These figures given above are without any concrete data to support these claims. The official data that was obtained from the Syariah courts, State Religious Departments and the National Registration Department (NRD) reveal that the number of apostates among the Muslims is less than 300. Research shows that 750 Muslims applied to the NRD to change their names to non-Muslim names between 1999 and July 2003, and of that number only 220 were successful. Most of them were converts to Islam, but the number of Muslims, who actually applied to the Syariah courts to renounce Islam is much lower; there were only 100 between 1994 and 2003.

Recently, The Islamic Affairs Minister Jamil Khir Baharom in response to a question in Parlimen dated 14 June 2011 said that a total of 686 applications to renounce the Islamic faith were received by the Syariah courts between 2000 and 2010, 168 out of this number have been approved.

Although article 11 of the Federal Constitution clearly guarantees religious freedom, the country's highest court ruled during the reporting period that Muslims wanting to convert to another religion must first obtain approval from a Shari'a court. The court's decision effectively precludes the conversion of Muslims, since the Sharia courts have granted only a handful of requests to convert to other religion in the recent years.

The Shari'a laws are administered by the state authorities through Islamic courts and bind all Muslims, most of whom are of the Malay ethnicity. The Shari'a laws and the degree of their enforcement varied from one state to another. Shari'a courts do not give equal weight to the testimony of women. Several nongovernmental organizations (NGOs) dedicated to the advancement of women's rights have complained that women do not receive a fair treatment from the Shari'a courts in matters of divorce and child custody.

In December 2005, the Parliament passed the Islamic Family Law Act (IFLA) in an effort to harmonize the Shari'a laws throughout the country. The IFLA would have weakened a Muslim wife's ability to control her private property during marriage, as well as enhancing the ability of Muslim men to divorce, take multiple wives, and claim an existing wife's property upon taking a new wife. Following the protests from the women's rights advocates about these and other provisions of the IFLA, the attorney general commenced a review of the law. As of June 30, 2007, the law had not been gazetted; the attorney general's chamber continued to review the proposed amendments to the IFLA.

On May 30, 2007, the Federal Court ruled that Muslim individuals must obtain an order from the Shari'a Court stating that they have become an "apostate" (they have renounced Islam) before they can change their national identity card. As apostasy grants (grants of permission to convert to another religion) by the Shari'a court is extremely rare, the court's decision effectively precludes any legal right of the Muslims to convert to another religion. The 2007 ruling was in response to an appeal in a 2005 case in which the country's second-highest court, the Court of Appeal, upheld a High Court ruling that would allow a Muslim convert to initiate divorce proceedings in a Shari'a court, obtain custody of under-aged children from a non-Muslim spouse, and unilaterally convert the children to Islam. Following the condemnation of the secular courts' rulings by non-Muslim religious leaders and the Bar Council, the Court of Appeal agreed to stay in execution of its ruling until the non-Muslim spouse exhausts her appeal process before the Federal Court. That process continued as of June 30, 2007.

Other child custody cases arose during the reporting period that reflect the turbulent jurisdictional interface between the Shari'a and secular courts on family law matters pitting Muslims versus non-Muslims. One such case involved the 29-year-old Revathi Masoosai, who was raised as a Hindu by her grandmother, although she was born to Muslim parents and registered at birth as a Muslim. Revathi filed a statutory declaration in 2001 that identified herself as a Hindu. After she married a Hindu man in 2004, worshipped as a Hindu, and gave birth in December 2005, the Malacca Islamic Religious Department (MAIM) accused Revathi of deviating from Islam and demanded custody of her newborn daughter. Revathi refused and on January 8, 2007, Revathi was taken into custody under the Shari'a court order.

Despite the objections by Revathi and her husband, MAIM placed the couple's daughter in the care of Revathi's Muslim mother. Revathi's initial 100 days of "rehabilitation" detention was extended on April 18, 2007, for an additional 80 days, reportedly due to her refusal to cooperate with the Muslim religious authorities while in detention. Her husband filed a habeas corpus application in the High Court on May 14, in an effort to secure Revathi's release. He claimed that the religious rehabilitation center in which she was held had not been gazetted as a detention center. As of June 30, 2007, Revathi remained in detention, and the High Court had not heard her husband's habeas corpus application.

CONCLUSION: THE MALAYSIAN DILEMMA

The 21st century represents a period of great uncertainty about Malaysia's state of religious pluralism. It is a serious question which affects all Malaysians because the outcome of this uncertainty

will determine Malaysia's socio-economic position globally. While Malaysians have learned to live with people from other ethnic backgrounds, they are now confronted with a problem which arises as a result of this achievement. The uncertainty lies in the question of how can Malaysians live with each other's religion in an age where all forms of religious fundamentalism are manifesting themselves globally.

The multi-religious setting of Malaysia is challenged by the notions of religious relativism. How does one acknowledge the truths of his or her own religion without belittling or diminishing the truth(s) in other religions? This is a question that Malaysians have to deal with in their daily setting. Some have practiced a form of respect that is mixed with tolerance for other believers while most have remained silent and ignorant of this issue.

The adage "ignorance is bliss" can be aptly used to describe the Malaysian society. Malaysians, in their educational and social upbringing are taught that religious discussions should not be held in public but instead should be kept in the private realm. This is advocated with the intention of being sensitive to people from other ethnic backgrounds. While the intention is good, the outcome is otherwise because it cultivates a paradox within many Malaysians; they remain a sophisticated society in terms of their material growth but are constrained when it comes to the understanding of their multi-religiosity and multi-ethnicity.

As mentioned earlier, the Malaysians' ability to steer away from the ethnic violence that occurred in Indonesia is an indication of Malaysia's maturity as a country which espouses respect and tolerance for other ethnic groups. Inadvertently, the economic growth has created a Malaysian society that prefers to remain silent on matters pertaining to religion in order to avoid disrupting the continuous growth of the country.

The government's role in promoting silence rather than discussion when it comes to the understanding of multi-religious of Malaysia does not help to improve the situation. Any religious issue which is deemed sensitive is often dealt in silence rather than with a discussion. The media is discouraged from reporting on matters related to religion.

Without a proper understanding of the religion of their neighbors, it is difficult, if not impossible for Malaysians to *truly* learn to live with their neighbors and be pluralistic. Consequently, without knowing how to live with their neighbors, Malaysians simply cannot begin to have a "common social will" that is very much vital to the harmonious growth of the country.

The government's role in silencing the inter-faith discussions is best exemplified by Badawi's recent banning of inter-faith forums on Article 11 in the Malaysian constitution which touches upon an individual's religious freedom in Malaysia. According to Badawi, these forums must be stopped because "they are deemed to cause tension in our multi-religious society" (Habib and Shari, 2006). He also stated that "If the discussions are not kept in check or contained, they are bound to raise tension in our multi-religious society. Religious issues are even more sensitive than ethnic issues" (Habib and Shari, 2006).[5] This summarizes the Malaysian dilemma of today; how can Malaysians learn to co-exist peacefully without even learning who their neighbors are ethnically and religiously?

The question of religious pluralism is one, which confronts all Malaysians, and it necessitates a solution. While the solution is not easy and needs to endure different social experimentations, many different groups and individuals have sensed the urgency to create a viable solution to this issue. The need to create a Malaysian nation that is truly Asian, one, which truly respects the religious diversity, is more important than ever in this era of global terrorism because of Malaysia's potential to become an example of an effective moderate Islamic majority country. In his visit to Malaysia to attend the World Council of Churches meeting in Kuala Lumpur, the Christian theologian Mark Heim wrote on Malaysia's potential to become a role model to other Islamic countries:

While Malaysia aspires to become a role model to other countries, the solution to the Malaysian dilemma must first be confronted and solved. Thus, the first step in formularizing a solution is to know the "Other", and this can only mean that all Malaysians must engage themselves in discussions concerning ethnic and religious pluralism for it is only then that Malaysia can be on the verge of

[5] In February 2005, the Bar Council of Malaysia organized a forum consisting of different religious organizations to discuss about the creation of an Interfaith Commission (IFC) to promote a better understanding of the different religions in Malaysia. However, Islamic organizations refused to join because they feared that the commission might "weaken Islam". Subsequently, the government stopped the forum because it was deemed unnecessary while at the same time paradoxically voicing the need for inter-faith dialogue (US Department of State, 2005). The Malaysian government's encouragement of inter-faith dialogue can be observed in the World Council of Churches' (WCC) meeting in Malaysia in 2004.

becoming truly Asia, not just symbolically, but in practice as well.

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